

REMARKS/ARGUMENTS

Claims 1-49 were previously pending in this application. Claims 1-49 stand rejected in a non-final Office Action under 35 U.S.C. 103(a). Claims 1-49 are rejected as being obvious over Ng (U.S. Patent No. 6,405,175, f/d July 27, 1999) (hereinafter *Ng*) and Morton (U.S. Patent No. 6,327,572, f/d December 16, 1999) (hereinafter *Morton*).

In response to the above-identified Office Action, Applicant respectfully seeks reconsideration of the application in view of the remarks set forth below and in view of a telephone conference which was held on November 6, 2003, described further below. In this Response, no claims were amended and no claims were canceled. Accordingly, claims 1-49 are pending in the present application.

I. CLAIM REJECTIONS - 35 U.S.C §103(a)

On November 6, 2003, a telephone conference was held with Examiner John Young regarding the above-identified Office Action. Thomas B. Haverstock and Myrna M. Schelling (attorneys for the Applicant), Applicant Howard Dernehl, and Applicant's business colleague Robert Fraley were also in attendance. In a nutshell, the present invention passes certain identifying information from a vendor to a satisfied customer in an e-mail that the satisfied customer can forward to a potential customer. That information can be a serial number, a URL link, or a token.

As stated in the telephone conference, all of the recited limitations of independent claims 1 and 46 are not taught or suggested by *Ng* and *Morton*, individually or in combination. Claim 1 has elements (a) through (e). In claim 1, element (a) of "creating a digital data base controlled by a Provider" is not present in *Ng* since in *Ng*, a searchable product/price data base is controlled by consumers, rather than by a provider. Consumers in *Ng* "build and maintain the information in the database" for products with the lowest price (col. 13, ll. 23-34). In *Morton*, there is no creation of a database by the provider, a customer's existing contact database is used by the

information system to identify potential customers.

Element (b) of claim 1 of “offering a potential reward to a first party in exchange for promotional assistance of the first party, the promotional assistance comprising assistance in a forwarding of a first e-mail message to a second party, the first e-mail message comprising a personalized referral for the marketable entity, and a first set of data comprising a first serial number and a first URL link” is also not taught or suggested by *Ng* and *Morton*, individually or in combination. *Ng* does not utilize e-mail and *Ng* does not teach nor suggest a first e-mail message with a personalized referral and a first set of data comprising a first serial number and a first URL link. *Morton* also does not teach or suggest element (b) of claim 1, as *Morton* does not offer potential rewards for a forwarding of an e-mail comprising a personalized referral and a first set of data comprising a first serial number and a first URL link.

Element (c) of claim 1 of “creating a first Web site corresponding to the first URL link, the first Web site providing information on the referenced marketable entity and an offer to transact for the referenced marketable entity” is also not taught nor suggested by *Ng* and *Morton*, individually or in combination. Element (c) refers to the first URL link previously introduced in element (b) of claim 1. As set forth above, neither *Ng* nor *Morton* utilize e-mail that comprises a first set of data comprising a first serial number and a first URL link. Hence, element (c) of claim 1 is also not taught nor suggested in *Ng* and *Morton*, individually or in combination.

Element (d) of claim 1 of “correlating the first set of data in the first e-mail message to a first set of database data within the database, including data within the database relating to the potential reward offered to the first party in exchange for promotional assistance” is not taught nor suggested by *Ng* and *Morton*, individually or in combination. *Ng* does not utilize e-mail messages and does not correlate data found in e-mail messages to database data or to data relating to a potential reward. *Morton* does not offer a potential reward and does not correlate data in a first e-mail to database data.

Finally, element (e) of claim 1 of “forwarding the first e-mail message to a second party”

is not taught or suggested by *Ng* and *Morton*, individually or in combination. *Ng* does not utilize or forward e-mail messages to second parties. As mentioned before, *Morton* does not utilize a first-email message comprising a personalized referral, a URL link and a first data.

Similarly independent claim 46, not all of the claimed limitations found in the claim are taught or suggested by *Ng* and *Morton*, individually or in combination. Specifically, element (c) of claim 46 of “forwarding an e-mail to a second party, the e-mail comprising a recommendation for the second marketable entity and a URL link to a Web site” is not taught or suggested by *Ng* or *Morton*, individually or in combination. *Ng* does not utilize e-mails. *Morton* does not provide a forwarding of a first e-mail to a second party, where the e-mail is a recommendation to a second marketable entity with a URL link to a website.

In view of the arguments stated above and in view of the arguments also made during the November 6, 2003 telephone conference, independent claims 1 and 46 are allowable. Furthermore, dependent claims 2-45 and 47-49 depend from independent claim 1, an allowable base claim. For at least these reasons, Applicant respectfully submits that claims 1-49 are allowable.

II. APPLICANT’S BROCHURES

During the November 6, 2003 telephone conference, the Examiner stated that any marketing brochures or other secondary evidence of the novelty of the present invention may be submitted along with the Request for Reconsideration. In light of the Examiner’s statements, Applicant respectfully submits brochures entitled “Generating and Harvesting Goodwill by Enhancing Word-of-Mouth Marketing” and “Harvesting Goodwill through Relationship Referral Marketing.”

CONCLUSION

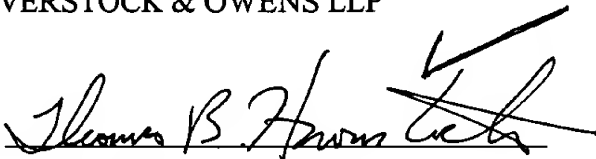
In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes that a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact the undersigned at (408) 530-9700.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 11-24-03

By:



Thomas B. Haverstock

Reg. No. 32,571

Attorneys for Applicant

r-coupon uses the Internet to automatically generate and harvest goodwill.

- r-coupon provides a tracking system to enable your referring customers to see the results of their personal recommendations to friends and associates.
- r-coupon's unique feedback mechanisms enable you to make real-time interpretations of your network marketing campaign.
- r-coupon's flexibility allows fine-tuning to manage message diffusion and campaign results.
- r-coupon enhances existing customer satisfaction, encourages new customer referrals, and maximizes current and future sales.
- r-coupon will increase your revenue, market share and competitive advantage.

r-coupon Relationship Referral Marketing™ is highly effective, and will be the most important part of your marketing mix.

To learn how you can build and enhance customer relationships with r-coupon, find new customers from your satisfied customers and accelerate the purchase decision:

- *phone (650) 327-4043, or*
- *contact r-coupon at info@r-coupon.com.*

Ask for the white paper "Building Business by Generating and Harvesting Goodwill".

r-coupon Relationship Referral Marketing™ is a trademark of r-coupon.com, Inc.
The term Relationship Referral Marketing is a copyright of r-coupon.com, Inc.

r-coupon uses Behavioral Economics as designed by UCLA and the University of Chicago to prevent word-of-mouth behavior in your customers.

This white paper has been published by www.kayak-consulting.com.

Generating and Harvesting Goodwill

by Enhancing Word-of-Mouth Marketing



r-coupon

Do you track and influence your customers' satisfaction and recommendations?

- Customers look more and more to friends and associates for product referrals.
- The effectiveness of advertising to establish and manage brand loyalty have diminished.
- Monitoring and influencing your brand's word-of-mouth product referrals will allow you to capture the value of your customers' satisfaction.

r-coupon helps you generate and harvest the goodwill of your brand.

r-coupon expands your base of satisfied customers:

- Identifies your satisfied customers and keeps their attention.
- Expresses appreciation and reminds your customers of the value you have brought to them.
- Shows your commitment to maintain customer satisfaction and trust.

r-coupon turns satisfied customers into evangelists:

- Encourages referrals and gives feedback to your customers.
- Tracks referral messages and informs your customers.
- Provides rewards to your customers for their referral efforts.

r-coupon Relationship Referral Marketing™ is your most powerful marketing program.

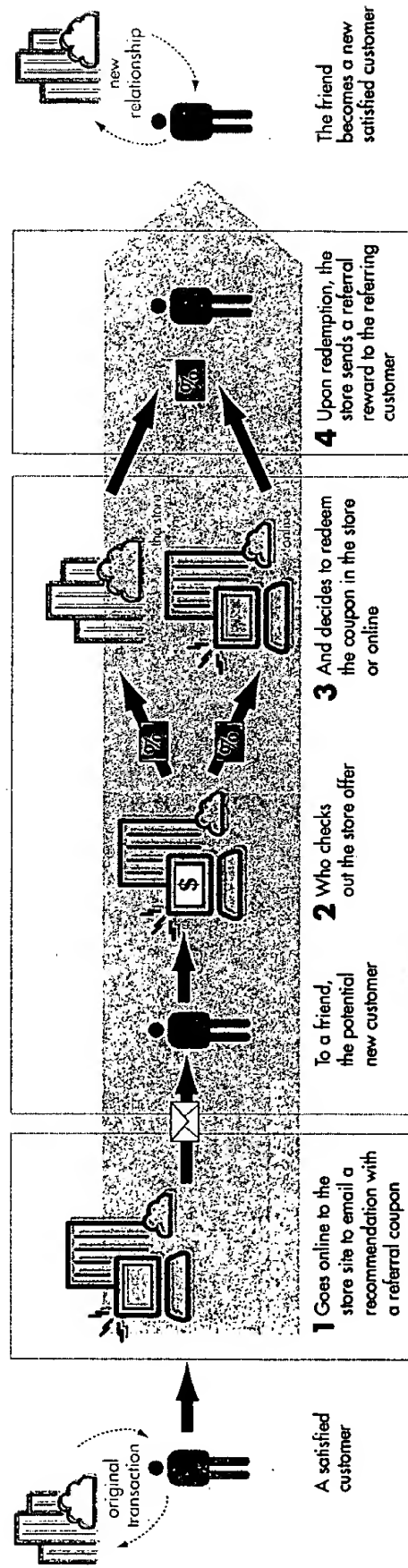
r-coupon strengthens your business through the Four Rs of Relationship Referral Marketing™.

Relationships: Personal and business relationships based on trust and shared values are identified and made more powerful with r-coupon.

Referrals: Personal referrals using r-coupon are structured and formalized to strengthen your brand message through personal communication.

Rewards: r-coupon enhances common motive to help friends and associates by rewarding both the referrer and the potential customer.

Reputation: By meeting your customers' expectations your company demonstrates responsibility and reliability. r-coupon helps you realize maximum value from your hard-earned reputation.



r-coupon

Harvesting Goodwill through Relationship Referral Marketing

r-coupon "Harvests Goodwill" from your satisfied customers to generate sales and revenue. We build and enhance relationships with current, satisfied customers, find new customers and accelerate the purchase decision. Through referral marketing we turn your satisfied customers into evangelists for your products and services.

Summary

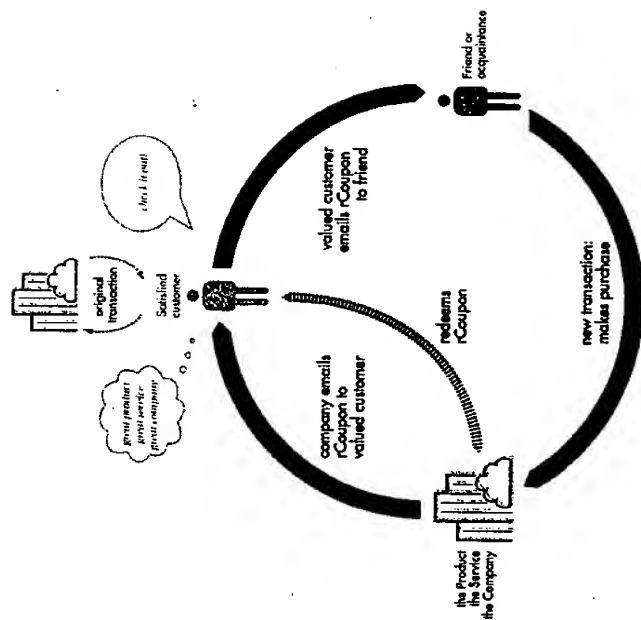
Your corporate and product presence excels in attracting and retaining customers. As a successful company you want to leverage the satisfaction of your current customers to enhance market reach.

r-coupon can help you harvest your established goodwill and brand value by facilitating word-of-mouth referrals using r-coupon technology and services.

With r-coupon, your satisfied customers can send branded electronic coupons - that's your brand! - to friends and acquaintances. The new customer redeems this discount coupon online or in a store. A completed transaction using a coupon triggers the issuance of a reward coupon to the referring customer.

The r-coupon system combines Internet email, Web and database technologies to automate sales referrals with technology that adapts to your business. Unique behavioral economics techniques are implemented with a software methodology.

r-coupon produces measurable results for its clients through lower customer acquisition costs, expanded presence in target markets and increased sales.



- *Your satisfied customer receives a branded loyalty reward for every referral that leads to an actual transaction*
- *Your referred customer has a real (\$) incentive to buy your product or service*
- *You gain incremental market penetration and increased revenue*
- *You continue to manage your brand, build its reach and goodwill!*

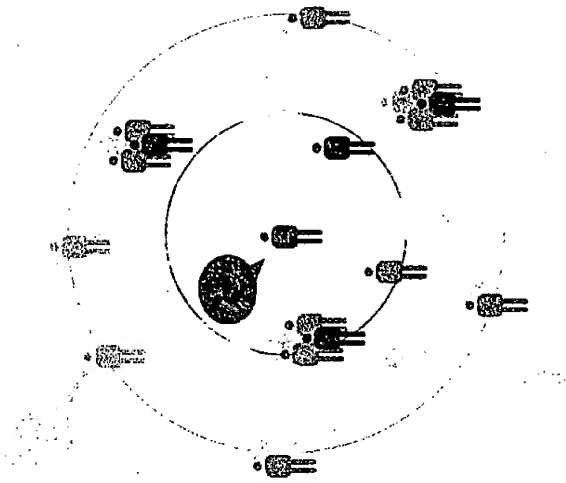
The Opportunity

Brand goodwill is established through meeting and exceeding your customers' expectations in product performance and customer service. Until r-coupon, there has been no practical way for a company to leverage its brand good will for sales to new customers.

Campaigns such as email marketing and online advertising are not producing the sales once envisioned. They irritate potential customers with spam, flashing animations and pop-up screens. The average American is exposed to over 250 different commercial messages a day. The last thing people want is one more sales promotion.

People rely on those they trust for referrals and advice on what to purchase. Word-of-mouth referrals are part of the social fabric within which we live. r-coupon leverages referrals and rebates, proven tactics that accelerate the purchase decision process, into technology enabled by r-coupon's Relationship Referral Marketing™.

Research studies show that the decision to choose a brand is often based on personal referral, rather than advertising or other factors. Various studies cite word-of-mouth is crucial to the purchase decision: "the number one factor for selecting a given brand", "80% of buying decisions are based on a recommendation", and "word-of-mouth recommendation influences 45% of on-line shoppers' choice of e-commerce Web sites (Jupiter Media Metrix)".



The customer reach expands exponentially with each satisfactory transaction.

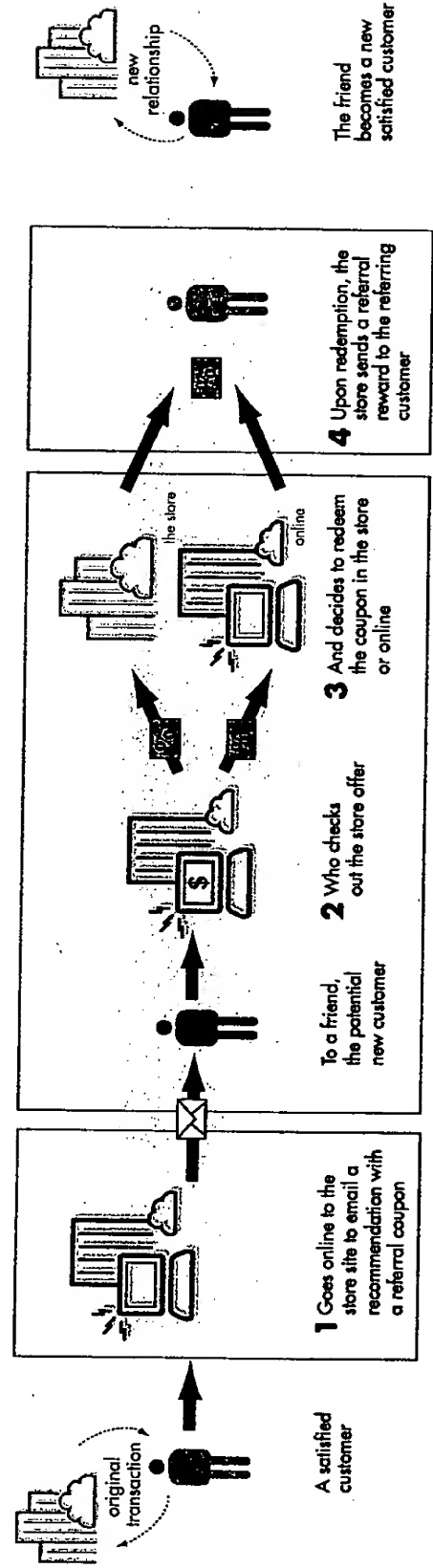
The Solution: Harvesting Goodwill

r-coupon uses open systems electronic messaging and e-commerce capabilities to automate and revolutionize the concept of direct marketing and referral systems. The power of the Internet is used to effectively and efficiently reward individuals for directing friends and acquaintances to purchase.

Satisfied customers email referral messages with a private-labeled, two-ended coupon to people they know who may be interested in your company's goods or services. When a purchase is made using the referral coupon, both customers receive a reward. Typically a soft reward (frequent flyer miles, product or service, donation, etc.) is given to the existing customer and a hard reward (price discount, manufacturer's rebate, etc.) is given to the new customer.

The rewards calculation and distribution managed by the r-coupon system can be for all the individuals leading up to and directly participating in a business-to-consumer or business-to-business transaction: the referring individuals and the purchaser. The referring individuals receive a referral reward, the new customers a discount, and the sellers a new revenue-producing customer.

r-coupon is significantly different than mass marketing techniques. It does not use profiling of behavior or demographics. r-coupon's private labeling method shelters our clients' customers from other promotions. r-coupon is your "invisible partner", providing tailored email and Web implementations to effectively "marketize" the stored value of the good will inherent in your company's brand name. We harvest - and enhance - your brand's goodwill.



Scholars at the UCLA Department of Economics determined through Behavioral Economics - rigorous economic thinking applied to marketing and other social domains - that traditional business practices do not fully reward firms for producing satisfaction among their customers. Significant brand value is established in the market through word-of-mouth and customer satisfaction, rather than just advertising and promotion. r-coupon has originated a patent-pending business process that increases sales and revenue for companies that produce customer satisfaction.

About r-coupon

Founded

r-coupon.com, Inc., founded in 1998 and incorporated in 2000, recognized the shift in marketing effectiveness away from mass promotions toward consumer-determined selection, and to fulfill this concern designed Relationship Referral Marketing™.

Mission

r-coupon "Harvests Goodwill" from your satisfied customers to generate incremental sales and revenue. We build and enhance relationships with current, satisfied customers, find new customers and accelerate the purchase decision. Through referral marketing we turn your satisfied customers into evangelists for your products and services. We harvest - and enhance - your brand's goodwill.

Management

r-coupon is managed by a seasoned team of executives and managers with expertise in software and services marketing, promotions, sales, business development and the development and implementation of enterprise software for Web and consumer applications.

Contact

For more information about how r-coupon.com can produce results for you, please contact r-coupon:

Info@r-coupon.com
650/327.4043